INDEX

ACHIEVING A JUST LEGAL SYSTEM: THE ROLE OF STATE INTERMEDIATE APPELLATE COURTS, Edmund B. Spaeth, Jr., 48-58.
ADAMSON, TERRENCE B., *see* BELL, GRIFFIN B., coauthor
Administrative Law Judge (ALJ)
  federal, 36-40, 46
  state, 40-42
ADMINISTRATIVE LAW JUDICIARY: CHANGE, CHALLENGE, AND CHOICES, THE, Daniel L. Skoler, 34-47
Administrative Office of the U.S. Courts, 91, 139
Administrative Procedure Act (APA) of 1946, 36-39, 41, 42
American Bar Association (ABA), 24, 32, 50
  Code of Professional Responsibility, 21, 101
  Commission on Law and the Economy, 44
  Standing Committee on the Federal Judiciary, 115
American Judicature Society, 17-18, 53, 54
Armed Career Criminal Act, *see* Bill, S. 1688
Ash Report, 42
Attorney General Smith's Task Force on Violent Crime, 65-66, 68

Bell, Griffin B., 11, 122, 141
BELL, GRIFFIN B., and TERRENCE B. ADAMSON, Notes on the Situation, 16-25
Benet, Stephen Vincent, 17
Berger v. *United States*, 21
Bermant, Gordon, 97
Bills
  S. 1688, 69, 70
  S. 1689, 63
  S. 1690, 63
Black, Hugo, 126
Bork, Robert, 141
Brandeis, Louis, 30
Brazil, Wayne, 101
Brown v. *Board of Education*, 28
Brown Commission report, 64
Brownell, Herbert, 140
Burger, Warren E., 63

Career criminals, 62, 64, 65, 70, 71
Carter administration, 18, 61, 115, 117, 122, 123, 127, 128
Chicago Jury Project, 94-95, 98
Chisholm v. *Georgia*, 27
Courts
  litigation explosion in U.S., 16-25
  state intermediate appellate, overworking of, 48-58
Criminal sentencing, changing views of, 104-11
Cummings, Homer, 138, 139, 144
Cushing, Caleb, 138

Daugherty, Harry M., 138-39
Davis, Kenneth C., 35, 44
Dawson, Robert, *Sentencing*, 105, 106-7
Disputes Resolution Act, 24
District of Columbia Court Reorganization Act of 1970, 141

Eldridge, William B., 13, 14
ELDRIDGE, WILLIAM B., Shifting Views of the Sentencing Function, 104-11
"Enabling Act," 138, 144

Federal courts, limits on jurisdiction by Congress, 26-33
FEDERAL COURTS UNDER SIEGE, THE, Charles McC. Mathias, 26-33
Federal government and criminal justice, 59-71
Federal Judicial Center, 23-24, 143, 146, 147
Federal Judicial Center's "Protracted Civil Trials" study, 98-99, 100
Federal Justice Research Fund and Program, 141, 145, 149
Federal Magistrate Act, 143, 148
Federal Rules of Civil Procedure, 17, 92, 138
  Rule 11, 20-21
Frankel, Marvin, 101
Frankfurter, Felix, 17

Garland, Augustus H., 138, 144
Goldman, Sheldon, 13
GOLDMAN, SHELDON, Judicial Selection and the Qualities that Make a "Good" Judge, 112-24
Gun Control Act of 1968, 66

Hamilton, Alexander, 89
Hamilton, Alexander, *Federalist 78*, 30
Harrison, Benjamin, 138
Hatch, Orrin, 28
Helms, Jesse, 28
Herodotus, 30-31

INDEX

ACHIEVING A JUST LEGAL SYSTEM: THE ROLE OF STATE INTERMEDIATE APPELLATE COURTS, Edmund B. Spaeth, Jr., 48-58.
ADAMSON, TERRENCE B., *see* BELL, GRIFFIN B., coauthor
Administrative Law Judge (ALJ)
  federal, 36-40, 46
  state, 40-42
ADMINISTRATIVE LAW JUDICIARY: CHANGE, CHALLENGE, AND CHOICES, THE, Daniel L. Skoler, 34-47
Administrative Office of the U.S. Courts, 91, 139
Administrative Procedure Act (APA) of 1946, 36-39, 41, 42
American Bar Association (ABA), 24, 32, 50
  Code of Professional Responsibility, 21, 101
  Commission on Law and the Economy, 44
  Standing Committee on the Federal Judiciary, 115
American Judicature Society, 17-18, 53, 54
Armed Career Criminal Act, *see* Bill, S. 1688
Ash Report, 42
Attorney General Smith's Task Force on Violent Crime, 65-66, 68

Bell, Griffin B., 11, 122, 141
BELL, GRIFFIN B., and TERRENCE B. ADAMSON, Notes on the Situation, 16-25
Benet, Stephen Vincent, 17
Berger v. *United States*, 21
Bermant, Gordon, 97
Bills
  S. 1688, 69, 70
  S. 1689, 63
  S. 1690, 63
Black, Hugo, 126
Bork, Robert, 141
Brandeis, Louis, 30
Brazil, Wayne, 101
Brown v. *Board of Education*, 28
Brown Commission report, 64
Brownell, Herbert, 140
Burger, Warren E., 63

Career criminals, 62, 64, 65, 70, 71
Carter administration, 18, 61, 115, 117, 122, 123, 127, 128
Chicago Jury Project, 94-95, 98
Chisholm v. *Georgia*, 27
Courts
  litigation explosion in U.S., 16-25
  state intermediate appellate, overworking of, 48-58
Criminal sentencing, changing views of, 104-11
Cummings, Homer, 138, 139, 144
Cushing, Caleb, 138

Daugherty, Harry M., 138-39
Davis, Kenneth C., 35, 44
Dawson, Robert, *Sentencing*, 105, 106-7
Disputes Resolution Act, 24
District of Columbia Court Reorganization Act of 1970, 141

Eldridge, William B., 13, 14
ELDRIDGE, WILLIAM B., Shifting Views of the Sentencing Function, 104-11
"Enabling Act," 138, 144

Federal courts, limits on jurisdiction by Congress, 26-33
FEDERAL COURTS UNDER SIEGE, THE, Charles McC. Mathias, 26-33
Federal government and criminal justice, 59-71
Federal Judicial Center, 23-24, 143, 146, 147
Federal Judicial Center's "Protracted Civil Trials" study, 98-99, 100
Federal Justice Research Fund and Program, 141, 145, 149
Federal Magistrate Act, 143, 148
Federal Rules of Civil Procedure, 17, 92, 138
  Rule 11, 20-21
Frankel, Marvin, 101
Frankfurter, Felix, 17

Garland, Augustus H., 138, 144
Goldman, Sheldon, 13
GOLDMAN, SHELDON, Judicial Selection and the Qualities that Make a "Good" Judge, 112-24
Gun Control Act of 1968, 66

Hamilton, Alexander, 89
Hamilton, Alexander, *Federalist 78*, 30
Harrison, Benjamin, 138
Hatch, Orrin, 28
Helms, Jesse, 28
Herodotus, 30-31

Hill, Benjamin Harvey, 17
Hobbs Act, 68-69
Holmes, Oliver Wendell, 129
Hostage Act, 131
Hruska Commission, 143-44
Hutchinson, Joseph, C., 22

ILC Peripherals v. *IBM*, 88

Johnson, Earl, 24
Johnson, Frank M., 132
Joiner, Charles W., 95-96
Judges
  Article III (generalist), problems of judicial inexpertise of, 73-86
  legislative experience of federal, 125-35
  selection of "good," 112-24
  selection of for state intermediate appellate courts, 53-54
Judicial Conference of the United States, 146, 147
JUDICIAL REVIEW OF COMPLEX ADMINISTRATIVE AGENCY DECISIONS, Patricia M. Wald, 72-86
JUDICIAL SELECTION: CASTING A WIDER NET, Abner J. Mikva, 125-35
JUDICIAL SELECTION AND THE QUALITIES THAT MAKE A "GOOD" JUDGE, Sheldon Goldman, 112-24
Judicial Service Commissions, 122
Jury Selection and Service Act of 1968, 97
Justice Department, role of in federal judicial system, 136-51

Kalven, Harvey, *The American Jury*, 94-95, 96
Kaufman, Irving, 129
Keisel, Hans, *The American Jury*, 94-95, 96
Kennedy administration, 116
Kennedy, Edward, 117, 122

Law Enforcement Assistance Administration (LEAA), 61, 62, 64
Leventhal, Harold, 75-76, 84
Levi, Edward H., 132, 141
LEVIN, A. LEO, *see* WHEELER, RUSSELL R., coauthor
Lieberman, Jethro K., *The Litigious Society*, 19

MacKinnon, George, 126
Madison, James, 31
Marshall, John, 126
Mathias, Charles McC., 11
MATHIAS, CHARLES McC., Jr., The Federal Courts Under Siege, 26-33
McCree, Wade, 76
Meador, Daniel J., 9, 14
MEADOR, DANIEL J., Role of the Justice Department in Maintaining an Effective Judiciary, 136-51
Michel, Paul R., 13
MICHEL, PAUL R., *see* SPECTER, ARLEN, coauthor
Mikva, Abner J., 13-14
MIKVA, ABNER, J., Judicial Selection: Casting a Wider Net, 125-35
Miller, Arthur R., 102
Miller, William H. H., 138, 144
Minton, Sherman, 126
Mitchell, William H., 138, 144
Model State Administrative Procedure Act, 41, 47

National Advisory Commission on Criminal Justice Standards and Goals, 61
NEED FOR A NEW FEDERALISM IN CRIMINAL JUSTICE, THE, Arlen Specter and Paul R. Michel, 59-71
Neighborhood Justice Centers in Los Angeles, Kansas City, and Atlanta, 23
NOTES ON THE SITUATION, Griffin B. Bell and Terrence B. Adamson, 16-25

O'Connor, Sandra, 126
Office of Criminal Justice, 140
Office for Improvements in the Administration of Justice (OIAJ), 142-43, 144, 145, 149
Office of Justice Policy and Planning, 140
Office of Legal Policy (OLP), 144, 149
  see also Office for Improvements in the Administration of Justice
Office of Personnel Management (OPM), 37, 38
Office of Policy and Planning, 141
  see also Office of Criminal Justice and Office of Justice Policy and Planning
Omnibus Judgeship Act of 1978, 127, 148

Pennsylvania Commonwealth Court, 52-53
Pennsylvania Superior Court, 49-50, 51-53, 56, 57
Plunkitt, George Washington, 33
Pound Conference Follow-Up Task Force, 141
Pound Conference of 1976, 24
Pound, Roscoe, 17

Racketeer Influenced and Corrupt Organization (RICO) statute, 66
Randolph, Edmund, 137, 138, 141, 142
Reagan administration, 60, 115, 123

Reagan, Ronald, 67
Richardson, Elliot, 140
Rifkind, Simon, 10
Roe v. *Wade*, 133-34
Rogers, William P., 30, 140
ROLE OF THE JUSTICE DEPARTMENT IN MAINTAINING AN EFFECTIVE JUDICIARY, Daniel J. Meador, 136-51
Roosevelt, Franklin D., 27
Rosenberg, Maurice, 96
Rubin, Alvin B., 13, 14
RUBIN, ALVIN B., Trial by Jury in Complex Civil Cases: Voice of Liberty or Verdict of Confusion?, 87-103

Saks, Michael J., 97
Sander, Frank E. A., 24-25
Senate Judiciary Committee, 116, 117, 122, 123
Seventh Amendment, 89-90, 91, 92, 93, 102
SHIFTING VIEWS OF THE SENTENCING FUNCTION, William B. Eldridge, 104-11
Sierra Club v. *Costle*, 77
Skoler, Daniel L., 11
SKOLER, DANIEL L., The Administrative Law Judiciary: Change, Challenge, and Choices, 34-47
Smith, William French, 144
Spaeth, Edmund B., Jr., 11-12
SPAETH, EDMUND B., Jr., Achieving a Just Legal System: The Role of State Intermediate Appellate Courts, 48-58
Specter, Arlen, 13
SPECTER, ARLEN and PAUL R. MICHEL, The Need for a New Federalism in Criminal Justice, 59-71
Story, Joseph, 126
Sutherland, George, 21

Taft, William Howard, 139
Thurmond, Strom, 117, 123
Tocqueville, Alexis de, 10, 14, 17, 74, 91, 132
TRIAL BY JURY IN COMPLEX CIVIL CASES: VOICE OF LIBERTY OR VERDICT BY CONFUSION?, Alvin B. Rubin, 87-103

United States Attorneys Manual, 69
U.S. Courts of Appeals, 73
  for the District of Columbia, 73, 77
  for the Federal Circuit, 143, 148

Vanderbilt, Arthur T., 17
Vinson, Fred, 126
von Hirsch, Andrew, *Doing Justice The Choice of Punishments*, 107, 110

Wald, Patricia M., 12, 14
WALD, PATRICIA M., Judicial Review of Complex Administrative Agency Decisions, 72-86
WHEELER, RUSSELL R., and A. LEO LEVIN, Preface, 9-15
Wickersham, George W., 138
Wright, Charles Alan, 92
Wyzanski, Charles, 75-76

Yellin, Joel, 75